

## Message Text

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ACTION DLOS-04

INFO OCT-01 EUR-12 NEA-10 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-02 INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 /129 W  
----- 107249

R 111705Z MAR 76

FM AMEMBASSY RABAT

TO SECSTATE WASHDC 8001

INFO AMEMBASSY MADRID

AMEMBASSY LISBON

AMCONSUL CASABLANCA

AMCONSUL TANGIER UNN

C O N F I D E N T I A L SECTION 1 OF 2 RABAT 1409

E.O. 11652: GDS

TAGS: PLOS MO

SUBJECT: LOS: SOME MOROCCAN VIEWS ON UPCOMING LOS CONFERENCE  
SESSION

REF: (A) STATE 054588, (B) RABAT 1394

1. INTRODUCTION AND SUMMARY. EMBOFF MET MARCH 9 WITH CHIEF OF  
LEGAL DIVISION IN MFA MUSTAPHA EL GHARBI TO PRESENT DEMARCHE PER  
INSTRUCTIONS REFTEL (A). EMBOFF LEFT AIDE MEMOIRE. GHARBI  
GAVE LONG PRESENTATION IN WHICH HE TOUCHED ON WHAT SEEMED TO BE  
MOROCCO'S MAJOR CONCERNS IN UPCOMING SESSION. HE SAID HE  
AGREED IN GENERAL WITH U.S. ASSESSMENT THAT UPCOMING SESSION  
WOULD BE CRUCIAL. HE ALSO CONCURRED THAT SINGLE NEGOTIATING  
TEXT OF COMMITTEE II WAS POSITIVE DOCUMENT IN WHICH ALL STATES  
HAD HAD OPPORTUNITY TO DO THEIR SHOUTING AND PROBABLY DIVEST  
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THEMSELVES OF MOST THROW-AWAY POSITIONS. TO JUDGE FROM

GHARBI'S COMMENTS, AT THE HEAD OF LIST OF MOROCCAN CONCERNS APPEARED TO BE QUESTION OF REGIME OF ISLANDS. MOROCCO, WITH ITS NEWLY ACQUIRED SAHARAN TERRITORIES (SIC), IS CONCERNED AS TO THE INTERPRETATION CONFERENCE WILL MAKE ON ECONOMIC ZONE IN THE CASE OF ISLANDS SEPARATED FROM THE POWER CONTROLLING THEM. GOM PARTICULARLY LOOKING TO CANARIES AND MADEIRA ISLANDS AND IMPACT WHICH FINAL LOS AGREEMENT WOULD HAVE ON MOROCCANS' RIGHTS IN NEARBY WATERS. ON STRAITS QUESTION, GHARBI CAREFULLY INDICATED THAT PROGRESS MADE ON THE ISSUE TO DATE WAS SATISFACTORY BUT HE SAID THAT "CERTAIN DETAILS" REMAINED TO BE WORKED OUT. A COMPANION TELEGRAM (REFTEL (B)) FOCUSSES ON A NUMBER OF RELATED MOROCCAN-SPANISH BILATERAL ISSUES. END INTRODUCTION AND SUMMARY.

2. FOLLOWING DISCUSSION ON TOPICS IS BROKEN DOWN IN ROUGH ORDER OF APPARENT GOM CONCERNS.

3. REGIME OF ISLANDS. GHARBI SAID THAT GOM WOULD BE VERY CONCERNED ABOUT INTERPRETATIONS WHICH WOULD EMERGE ON DELINEATION OF ECONOMIC ZONES AROUND ISLANDS WHICH ARE SEPARATED FROM THE POWER CONTROLLING THEM. IF THE 200-MILE ECONOMIC ZONE WERE TO APPLY AROUND CANARIES AND MADEIRA, MOROCCO'S RIGHTS TO THE AREA WOULD BE GREATLY AFFECTED. A RELATED AND EQUALLY WORRISOME ASPECT OF THIS TO MOROCCO WAS CONCEPT OF A "TERRITORIAL WATERS CORRIDOR" BETWEEN THESE ISLANDS AND MAINLAND. FOR EXAMPLE, IF SUCH A CONCEPT WERE TO BE ADOPTED, PORTUGAL WOULD BECOME "KING OF THE OCEAN", WHAT WITH MADEIRA AND THE AZORES. THUS SOME MORE REALISTIC INTERPRETATION WOULD HAVE TO BE GIVEN TO THESE TWO MATTERS, IN GHARBI'S VIEW.

4. GHARBI CITED OTHER ANOMALIES WHICH WOULD ARISE IF SOME CURRENT PROPOSALS WERE ULTIMATELY ADOPTED. ISLANDS OFF TURKEY --SOME ONLY A FEW HUNDRED YARDS OFFSHORE--WHICH WERE GIVEN TO GREECE AFTER FIRST WORLD WAR BY BRITAIN WOULD GIVE GREECE VIRTUAL CONTROL OF TURKISH ACCESS TO THE SEA. IN GENERAL, MEDITERRANEAN WOULD BE A NIGHTMARE, IMPOSSIBLE TO DELINEATE. MEDITERRANEAN STATES WOULD THUS SUPPORT MOROCCO'S CONCERNS IN THIS REGARD, GHARBI SEEMED TO WARN, AND HE WANTED TO INSURE THAT UNITED STATES WAS AWARE OF THIS.

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5. SEE ALSO REFTTEL (B) FOR DISCUSSIONS ON THIS QUESTION IN CONTEXT MOROCCAN/SPANISH BILATERAL RELATIONS.

6. STRAITS. EMBOFF DID NOT RAISE ISSUE OF STRAITS BUT GHARBI DID. HE SAID MOROCCO FELT THAT ADEQUATE PROGRESS HAD BEEN MADE TO DATE ON THIS MATTER. HE INDICATED, HOWEVER, THAT "SOME DETAILS" REMAINED TO BE SETTLED. WHILE HE DID NOT

ELABORATE ON THESE DETAILS, HE HINTED THAT THEY RELATED TO BILATERAL ISSUES BETWEEN MOROCCO AND SPAIN. HE DID SAY THAT MOROCCO SUPPORTED SEA LANES CONCEPT AND THAT SPAIN HAD "RECENTLY COME ALONG" WITH MOROCCO'S POSITION ON THIS, BUT THAT MATTERS SUCH AS CUSTOMS AND POLLUTION WOULD STILL HAVE TO BE DEALT WITH IN FINAL TEXT. HE REFERRED TO WHAT HE CLAIMED WAS ORIGINAL MOROCCAN PROPOSAL THAT THE STRAITS BE DECLARED A NEUTRAL ZONE. HE NOTED SOMEWHAT RUEFULLY THAT THE 77 HAD REJECTED THIS NOTION AND THAT IT PROBABLY DID NOT STAND A CHANCE OF REINSERTION.

7. DEEP SEA-BED. ON DEEP SEA-BED, GHARBI SAID MOROCCO WAS VERY MUCH FOR AN INTERNATIONAL AUTHORITY. HE SAID HE DID NOT WISH TO FRIGHTEN US WITH TERMINOLOGY BUT MOROCCO FELT THAT THE AUTHORITY SHOULD BE ENDOWED WITH A "GENTLE" FORM OF "SUPRANATIONALITY". BY THIS HE MEANT THAT IN EVENT OF CONTRACTUAL VIOLATIONS, THE AUTHORITY COULD AT LEAST THEORETICALLY ASSUME CONTROL OF OPERATIONS, A SORT OF "INTERNATIONALIZATION". IN THIS CONNECTION HE SAID MOROCCO WOULD NOT SUPPORT SOVIET UNION'S POSITION THAT ONLY STATES COULD CONTRACT WITH THE AUTHORITY. HE SAID THIS WOULD RENDER THE AUTHORITY POTENTIALLY IMPOTENT WHEN ANY STATE DECIDED TO REFUTE A CONTRACT. INSTEAD THE AUTHORITY SHOULD CONTRACT WITH PRIVATE OR PARA-STATE ORGANIZATIONS. THERE WOULD BE NO OBJECTION TO AFFILIATION WITH STATE-RUN ENTERPRISES BUT DISTINCTION SHOULD BE MADE.  
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ACTION DLOS-04

INFO OCT-01 EUR-12 NEA-10 ISO-00 FEA-01 ACDA-05 AGR-05

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NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 /129 W

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R 111705Z MAR 76 ZDK  
FM AMEMBASSY RABAT  
TO SECSTATE WASHDC 8002  
INFO AMEMBASSY MADRID  
AMEMBASSY LISBON  
AMCONSUL CASABLANCA  
AMCONSUL TANGIER UNN

C O N F I D E N T I A L SECTION 2 OF 2 RABAT 1409

8. GHARBI ADDED THAT GOM ALSO FELT THAT THE AUTHORITY SHOULD BE GIVEN ROLE IN ALLOCATING EXPLOITATION OF MINERALS. MOROCCO'S POSITION WAS THAT LAND RESOURCES SHOULD BE EXPLOITED FIRST IN CASES WHERE PRIMARY PRODUCING COUNTRIES' ECONOMIES WOULD BE AFFECTED. MOROCCO WAS CONCERNED MAINLY ABOUT COBALT IN THIS REGARD. HE SAID THAT FREE ENTERPRISE DYNAMIC OF CONSUMING NATIONS MIGHT HAVE CONSIDERABLE IMPACT ON SOME COUNTRIES IF CONSUMERS PERMITTED TO PROCEED ON THEIR OWN AND THEREFORE THE AUTHORITY SHOULD CONTROL THIS FUNCTION. IN GENERAL, HOWEVER, MOROCCO DID NOT SEE ANY OF ITS OWN VITAL INTERESTS AT STAKE ON THIS QUESTION, AS PHOSPHATES WERE NOT INVOLVED.

9. ON RELATED ISSUE OF RIGHTS OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES, MOROCCO AGREED IN PRINCIPLE THAT WEALTH FROM THE SEAS SHOULD BE AVAILABLE TO THEM, GHARBI STATED. AT CONFIDENTIAL

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SAME TIME, IT FELT THAT THE SHARED WEALTH SHOULD COME FROM AREAS BEYOND ECONOMIC ZONES OF THE COASTAL STATES. HE SUGGESTED THAT PROCEEDS WHICH THE AUTHORITY MIGHT DERIVE FROM OTHER ACTIVITIES, SUCH AS MINERAL EXPLOITATION ON THE HIGH SEAS, MIGHT GO TO THESE STATES. HE DID NOT FEEL THAT U.S. SUGGESTION THAT REGIONAL POOLING (WHICH EMBOFF RAISED DRAWING FROM REFTEL) WAS A VERY GOOD OR WORKABLE IDEA.

10. ECONOMIC ZONE. MOROCCO, ALONG WITH OTHER OAU COUNTRIES, NOW ESPOUSED THE PRINCIPLE OF A 200-MILE ECONOMIC ZONE, GHARBI NOTED. HE ASKED FOR AND EMBOFF GAVE STATUS REPORT ON CURRENT U.S. LEGISLATION ON THIS POINT. AS A PRACTICAL MATTER, HE SAID, MOROCCO HAD FORMULATED ITS ECONOMIC ZONE POLICY ON THE BASIS OF ITS PARTICULAR GEOGRAPHICAL SITUATION. IN GENERAL THERE WAS NO CONTINENTAL SHELF OFF MOROCCO WITH EXCEPTION OF TARFAYA AREA, WHICH AN ALLUVIAL SHLF. THERE WAS A GRADUAL SLOPING, HOWEVER, WHICH EXTENDED ON THE AVERAGE TO ABOUT 70 MILES OFFSHORE AND WHICH ACCOUNTED FOR EARLIER MOROCCAN POSITION ON A 70 MILE ECONOMIC ZONE.

11. FISHERIES. GHARBI ONLY BRIEFLY TOUCHED ON FISHERIES IN

CONTEXT OF LOS SESSION. HE SAID THAT MOROCCO IN GENERAL WAS NOT CONCERNED ABOUT MIGRATORY PROBLEMS SINCE THIS ISSUE DID NOT ARISE IN MOROCCAN WATERS. EMBOFF, DRAWING ON REFTEL, SAID THAT U.S. CONSIDERED MIGRATORY QUESTION IMPORTANT. GHARBI DID NOT COMMENT.

12. GHARBI REFERRED TO ADVOCACY BY SOME NATIONS TO SHARING OCEAN'S LIVING RESOURCES. HE SAID MOROCCO'S POSITION WAS THAT IT NEEDED ALL OF ITS CATCH AND WOULD RESIST ANY EFFORT TO IMPOSE ALRTICATIONS.

13. MARINE RESEARCH. ON THIS TOPIC GHARBI SIMPLY REMARKED THAT STATE IN WHOSE TERRITORIAL WATERS RESEARCH TOOK PLACE SHOULD DERIVE PRIMARY BENEFIT.

14. TERRITORIAL SEAS. SEE REFTEL (B) FOR DISCUSSION THIS QUESTION IN CONTEXT MOROCCAN-SPANISH BILATERAL RELATIONS.

15. POLLUTION. MARINE POLLUTION WAS NOT DISCUSSED. HOWEVER, POST CALLS ATTENTION TO FACT THAT MOROCCO WAS PARTICIPANT  
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AND SIGNATORY OF POLLUTION AGREEMENT NEGOTIATED AT RECENT BARCELONA CONFERENCE.

16. MEMBERS OF GOM DELA-589,. GHARBI SAID THAT HE WOULD BE ON MOROCCAN DELEGATION AND OTHER MEMBERS WOULD BE LEGAL EXPERT MOHAMMED BENNOUNA, DRISS DAHAK, JUDGE AT COURT OF APPEALS, AND AS YET UNNAMED REPRESENTATIVES FROM FOREIGN MINISTRY AND MERCHANT MARINE. EMBOFF INFORMED GHARBI USDEL WOULD WELCOME INFORMAL BILATERAL DISCUSSIONS IN NEW YORK IF THERE WERE POINTS GOMDEL WISHED TO DISCUSS.  
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